

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

RAYMOND WARE,)	CIVIL NO. 04-00671 HG/LEK
)	
Plaintiff,)	DECLARATION OF COUNSEL
)	
vs.)	
)	
MICHAEL CHERTOFF, Secretary,)	
Department of Homeland Security;)	
JOHN DOES 2-5,)	
)	
Defendants.)	
)	
)	
)	
_____)	

DECLARATION OF COUNSEL

I, Daphne E. Barbee, declare under penalty of perjury as follows:

1. Declarant is the attorney who represents Plaintiff Raymond Ware in the above-entitled action.
2. The jury returned a verdict in favor of Plaintiff Mr. Ware on March 20, 2008, however awarded zero compensatory damages.
3. According to the Court's jury instructions, back pay damages and front pay damages will be determined by the Court if the jury finds in favor of Mr. Ware. See Exhibit 5, attached.
4. Defendant Homeland Security stipulated that in the event Mr. Ware

prevailed on the liability portion of his discrimination lawsuit, it agrees that he would not have been terminated on November 25, 2003..

FURTHER DECLARANT SAYETH NAUGHT.

DATED: Honolulu, Hawaii 3-26-08



DAPHNE E. BARBEE
Attorney for Plaintiff